

SUBCOMMITTEE: SUBCOMMITTEE #1

HOUSE BILL NO. 2138

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice

on _____)

(Patron Prior to Substitute--Delegate Thomas)

A BILL to amend and reenact § 18.2-264 of the Code of Virginia, relating to prohibited inhalants or other noxious chemical substances; fluorinated hydrocarbons or vapors; hydrogenated fluorocarbons.

Be it enacted by the General Assembly of Virginia:**1. That § 18.2-264 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-264. Inhaling drugs or other noxious chemical substances or causing, etc., others to do so.

A. It ~~shall be~~ is unlawful, except under the direction of a practitioner as defined in § 54.1-3401, for any person deliberately to smell or inhale any drugs or any other noxious chemical substances ~~including but not limited to fingernail polish or model airplane glue, containing any ketones, aldehydes, organic acetates, ether, chlorinated hydrocarbons or vapors,~~ with the intent to become intoxicated, inebriated, excited, or stupefied or to dull the brain or nervous system.

Any person violating the provisions of this subsection ~~shall be~~ is guilty of a Class 1 misdemeanor.

B. It ~~shall be~~ is unlawful for any person, other than one duly licensed, deliberately to cause, invite or induce any person to smell or inhale any drugs or any other noxious chemical substances ~~or chemicals containing any ketone, aldehydes, organic acetates, ether, chlorinated hydrocarbons or vapors~~ with the intent to intoxicate, inebriate, excite, stupefy, ~~or to~~ dull the brain or nervous system of such person.

Any person violating the provisions of this subsection ~~shall be~~ is guilty of a Class 2 misdemeanor.

C. For the purposes of this section, "noxious chemical substances" includes fingernail polish and model airplane glue and chemicals containing any ketones, aldehydes, organic acetates, ether, chlorinated hydrocarbons or vapors, fluorinated hydrocarbons or vapors, or hydrogenated fluorocarbons.